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and Marriott International, Inc.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	
	:	Chapter 11 Case
DELTA AIR LINES, INC., <i>et al.</i> ,	:	
	:	Case Nos. 05-17923
Reorganized Debtors.	:	(Jointly Administered)
	:	
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**APPELLANTS' DESIGNATION OF RECORD AND  
STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**

Essex House Condominium Corporation and Marriott International, Inc. (collectively, "Marriott"), appellants herein, by and through their counsel DLA Piper US LLP, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, as and for their designation of items to be included in the record on appeal from: (i) the Order Denying Motion of Essex House Condominium Corporation and Marriott International, Inc., to Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreement to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents, (ii) Order Approving Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL, and (iii) Stipulation and Order Regarding

Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL:

Contents of record on appeal:

1. Order Denying Motion of Essex House Condominium Corporation and Marriott International, Inc. To Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents.
2. Notice of appeal from Order Denying Motion of Essex House Condominium Corporation and Marriott International, Inc. To Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents.
3. Order Approving Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL.
4. Notice of appeal from Order Approving Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL.
5. Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL.
6. Notice of appeal from Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL.
7. Transcript of hearing before the Honorable Adlai S. Hardin, United States Bankruptcy Judge dated June 20, 2007.
8. Motion of Essex House Condominium Corporation and Marriott International, Inc. to Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents, with exhibits.
9. Objection of Delta Air Lines, Inc. to Motion of Essex House Condominium Corporation and Marriott International, Inc. to Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents, with exhibits.

10. Reply of the Bank of New York and the Ad Hoc Committee of Senior Secured Holders to Motion of Essex House Condominium Corp., and Marriott International, Inc., with exhibits.
11. Joinder of the Post-Effective Date Committee of Delta Air Lines, Inc. et al. to Objection of Delta Air Lines, Inc. to Motion of Essex House Condominium Corporation and Marriott International, Inc. to Enforce Terms of Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents.
12. Essex House Condominium Corporation and Marriott International, Inc.'s Omnibus Reply to Objections to Motion to Enforce Terms of Order Approving a Modified Term Modified Term Sheet and an Extension of Section 1110 Deadlines, and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents, with exhibits.
13. Objection of Essex House Condominium Corporation and Marriott International, Inc. to Stipulation and Order Regarding Termination of Period under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL.
14. Motion for an Order Approving a Term Sheet and an Extension of Section 1110 Deadlines and Authorizing Agreements to Restructure Transactions Affecting Eighty-Nine Aircraft and Associated Engines, Equipment and Documents.
15. Limited Objection Of The Northwestern Mutual Life Insurance Company To Motion For Order Approving A Term Sheet And An Extension Of Section 1110 Deadlines And Authorizing Agreements To Restructure Transactions Affecting Eighty-Nine Aircraft And Associated Engines, Equipment And Documents.
16. Limited Objection Of Walt Disney Pictures And Television To Motion For Order Approving A Term Sheet And An Extension Of Section 1110 Deadlines And Authorizing Agreements To Restructure Transactions Affecting Eighty-Nine Aircraft And Associated Engines, Equipment And Documents.
17. Limited Objection And Reservation Of Rights By BNY Capital Resources Corporation To Debtors' Motion For An Order Approving A Term Sheet And Authorizing Agreements To Restructure Transactions Affecting Eighty-Nine Aircraft.
18. Joinder Of Essex House Condominium Corporation And Marriott International, Inc. In Support Of The Objections Filed By Owner Participants To The Debtors' Motion To Approve The Section 1110 Term Sheet.
19. Order Approving a Modified Term Sheet and an Extension of Section 1110 Deadlines and Authorizing Agreements to Restructure Transactions Affecting Eighty-Eight Aircraft and Associated Engines, Equipment and Documents.

20. Transcript of Presentment Hearing Before the Honorable Adlai S. Hardin United States Bankruptcy Judge dated February 15, 2006.

**Statement of Issues on Appeal**

Appellants further state that they intend to present the following issues on appeal:

1. Whether the Bankruptcy Court erred by not holding that the Restructuring Agreement between Delta Air Lines, Inc. and the Bank of New York as indenture trustee is void and unenforceable because that agreement violates the Lease Agreement dated as of June 1, 1993 between Wilmington Trust Company, as Owner Trustee and Delta Air Lines, Inc.
2. Whether the Bankruptcy Court erred by not holding that the Restructuring Agreement between Delta Air Lines, Inc. and the Bank of New York as indenture trustee is void and unenforceable because that agreement violates the Trust Indenture and Security Agreement dated as of June 1, 1993 between Wilmington Trust Company and Nationsbank of Georgia, N.A. as indenture trustee.

Dated: July 16, 2007

DLA PIPER US LLP

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